

APPENDIX 1: NATIONAL PARK SERVICE PRESS RELEASE



IN REPLY REFER TO:

**United States Department of the Interior
NATIONAL PARK SERVICE**

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604



D18(CRLA)

June 26, 2002

The National Park Service at Crater Lake National Park, is proposing to restore the road surface on 7.7 miles of Highway 62 from the West Boundary to Mazama intersection (milepost 65.5 to milepost 73.2) in Crater Lake National Park, Oregon. The project would involve digging out distressed areas, ditching to re-establish drainage, culvert replacement, recycling of existing surface, resurfacing, analyzing whether to flatten two switchback curves and 0.8 (8/10) mile of reconstruction on the same alignment. Construction is anticipated to begin early summer 2003.

Highway 62 is the only year around access route to the park. The west section of this road is in fair to poor condition with large sections of frost heaves, potholes, crumbling edges, and poor drainage throughout the segment length. Failures of the road surface occur each winter. Visitor and employee safety is compromised because of the narrow lanes and poor surface condition that cause dodging of potholes in some sections creating many near misses for snow plows and other traffic.

In fulfillment of requirements of the National Environmental Policy Act, the National Park Service has initiated preparation of an environmental assessment (EA) that will evaluate the potential impacts of project alternatives on natural and cultural resources, and other relevant topics.

We welcome your input on the project and our intended efforts to avoid adverse effects on park resources. Copies of the environmental assessment will be available for agency and public review in the late summer / early autumn of 2002. If you have any questions, please contact Michael Justin at 541/594-3008.

Sincerely,

Charles V. Lundy
Superintendent

cc:PWR-Regional Director

bbc:DSC-PM-Campbell, DSC-PDS-Stone, Sikoryak, DSC-PIFS

Appendix 1

Steve Tedder
Xanterra Parks & Resorts
14001 East Iliff Ave., Suite 600
Aurora, CO 80014

U.S. Fish and Wildlife Service
6610 Washburn Way
Klamath Falls, OR 97603

U.S. Fish and Wildlife Service
2900 NW Stewart Parkway
Roseburg, OR 97470

Oregon Fish and Wildlife
1850 Miller Island Road
Klamath Falls, OR 97603

Oregon Department of Transportation
355 Capitol Street, NE
Salem, OR 97301-3871

Rogue River National Forest
333 West 8th Street
Medford, OR 97501

Umpqua National Forest
2900 NW Stewart Parkway
Roseburg, OR 97470

Winema National Forest
2819 Dahlia
Klamath Falls, OR 97601

JUL-10-2002 WED 08:36 AM NPS-DENVER
JUL-08-2002 15:48 FROM:

FAX NO. 3039692736
TO:3039692736

P. 04
P.004/012

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*** GROUP DIAL LIST ***
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[ 04] PRESS RELEASE
[000] 915032265514 AP PORTLAND
[001] 915413885002 541-504-2336 BEND BULLETIN
[002] 915414743814 GP COURIER
[003] 915418864458 HERALD NEWS
[004] 915418828838 KAGO K FALLS
[005] 915417782380 KBOY MEDFORD
[006] 915418838931 KDKF K FALLS
[007] 915417780618 KDOV MEDFORD
[008] 915417789261 KDRV MEDFORD
[009] 915413439664 KEZI EUGENE
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[012] 913032265059 KGW TV
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[020] 915417764378 MAIL TRIBUNE
[021] 915032275308 OREGONIAN
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[024] 915416724482 KPIC TV
[025] 915413897885 BEND RADIO CITY
[027] 915417780859 KDRV_MEDFORD
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[030] 912084433422 KOMO-TV_SEATTLE
[031] 912132377365 LA_TIMES
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[034] 915413880458 BEND
[ 42] 915418585128 WYDEN
[ 43] 913108171485 REG DIR SF

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503-517-6062
541-776-2360

KINK Radio
Marathon Media

APPENDIX 2: SCOPING AND CONSULTATION LETTERS

07/05/02 FRI 14:44 FAX 541 594 2299

CRATER LAKE NATL PARK

001

7-3-2002



IN REPLY REFER TO:
D30 (CRLA)

OPTIONAL FORM 90 (7-90)

FAX TRANSMITTAL

of pages = 8

To <i>Gov Sikoryak</i>	From <i>Steve Mack</i>
Dept./Agency <i>D30</i>	Phone # <i>(541) 594-3094</i>
Fax # <i>(303) 969-2736</i>	Fax # <i>(541) 594-3010</i>



CERTIFIED MAIL: Return Receipt Requested

COPY

Gerald Skelton, Director
Culture and Heritage Department
The Klamath Tribes
P.O. Box 436
Chiloquin, Oregon 97624

Dear Mr. Skelton:

Reference: Crater Lake National Park Rehabilitate
Highway 62 West
Federal Highway Administration Project OR PRA-
CRLA 11(4) Package: CRLA 007269

Subject: Compliance with Section 106 of the National
Historic Preservation Act

The National Park Service at Crater Lake National Park is proposing to restore the road surface on 7.7 miles of Highway 62 from the West Boundary to Mazama intersection (milepost 65.5 to milepost 73.2). The project would involve digging out distressed areas, ditching to re-establish drainage, culvert replacement, recycling of existing surface, resurfacing, analyzing whether to flatten two switchback curves and 0.8 (8/10) mile of reconstruction on the same alignment.

Highway 62 is the only year around access route to the park. The west section of this road is in fair to poor condition with large sections of frost heaves, potholes, crumbling edges, and poor drainage throughout the segment length. Failures of the road surface occur each winter. Visitor and employee safety is compromised because of the narrow lanes and poor surface condition that cause dodging of potholes in some sections creating many near misses for snow plows and other traffic.

2

The National Park Service is committed to eliciting comments about the project and would like to initiate consultation with you as outlined in 36 CFR 800. We invite you to participate in the development of this planning effort for restoration of the west entrance road. Such consultation would ensure that the proposed project does not adversely affect sites that are included in or eligible for inclusion in the National Register of Historic Places.

In fulfillment of requirements of the National Environmental Policy Act, the National Park Service has initiated preparation of an environmental assessment (EA) that will evaluate the potential impacts of project alternatives on natural and cultural resources, and other relevant topics. In accordance with Section 800.8(c) of the Advisory Council on Historic Preservation's regulations (36 CFR 800), I am providing you advance notification of the National Park Service intention to use the EA to meet its Section 106 obligations. We will provide you a copy of the EA, documenting anticipated project effects on cultural resources, when it is completed.

As you know, the National Park Service is also working on a general management plan/environmental impact statement for Crater Lake National Park. Please be aware that the general management plan and the EA for the road restoration project are two separate and distinct projects, each with their own separate Section 106 compliance actions. This letter refers specifically to the road project on Highway 62.

We look forward to your participation in the planning process for this road restoration project and we believe that it will help ensure that cultural resources are adequately considered. Your participation on the project is important to us. Should you have any questions or should you wish to arrange a meeting at your convenience to discuss this project, please contact me at

07/05/02 FRI 14:44 FAX 541 594 2299

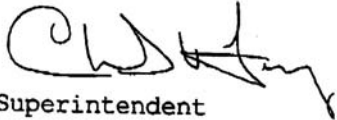
CRATER LAKE NATL PARK

003

3

chuck lundy@nps.gov or by telephone at (541) 594-3001. You may also contact Park Historian Steve Mark at steve mark@nps.gov or by telephone at (541) 594-3094.

Sincerely,



Superintendent

cc:
PWR-Regional Director

bbc:
DSC-PM-Campbell
DSC-PDS-Stone, Sikoryak
DSC-PIFS

07/05/02 FRI 14:45 FAX 541 594 2299

CRATER LAKE NATL PARK

004

7-3-2002



IN REPLY REFER TO:
D30 (CRLA)

**United States Department of the Interior
NATIONAL PARK SERVICE**

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604



COPY

CERTIFIED MAIL: Return Receipt Requested

Ms. Sue Shaffer
Cow Creek Band of Umpqua Tribe of Indians
2371 N.E. Stephens, Suite 100
Roseburg, Oregon 97470

Dear Ms. ^{Sue} Shaffer:

Reference: Crater Lake National Park Rehabilitate
Highway 62 West Federal Highway Administration
Project OR PRA-CRLA 11(4) Package: CRLA 007269

Subject: Compliance with Section 106 of the National
Historic Preservation Act

The National Park Service at Crater Lake National Park is proposing to restore the road surface on 7.7 miles of Highway 62 from the West Boundary to Mazama intersection (milepost 65.5 to milepost 73.2). The project would involve digging out distressed areas, ditching to re-establish drainage, culvert replacement, recycling of existing surface, resurfacing, analyzing whether to flatten two switchback curves and 0.8 (8/10) mile of reconstruction on the same alignment.

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2

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In fulfillment of requirements of the National Environmental Policy Act, the National Park Service has initiated preparation of an environmental assessment (EA) that will evaluate the potential impacts of project alternatives on natural and cultural resources, and other relevant topics. In accordance with Section 800.8(c) of the Advisory Council on Historic Preservation's regulations (36 CFR 800), I am providing you advance notification of the National Park Service intention to use the EA to meet its Section 106 obligations. We will provide you a copy of the EA, documenting anticipated project effects on cultural resources, when it is completed.

As you know, the National Park Service is also working on a general management plan/environmental impact statement for Crater Lake National Park. Please be aware that the general management plan and the EA for the road restoration project are two separate and distinct projects, each with their own separate Section 106 compliance actions. This letter refers specifically to the road project on Highway 62.

We look forward to your participation in the planning process for this road restoration project and we believe that it will help ensure that cultural resources are adequately considered. Your participation on the project is important to us. Should you have any questions or should you wish to arrange a meeting at your convenience to discuss this project, please contact me at

07/05/02 FRI 14:45 FAX 541 594 2299

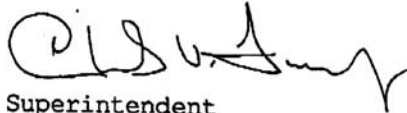
CRATER LAKE NATL PARK

006

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chuck lundy@nps.gov or by telephone at (541) 594-3001. You
may also contact Park Historian Steve Mark at
steve mark@nps.gov or by telephone at (541) 594-3094.

Sincerely,



Superintendent

cc:
PWR-Regional Director
bbc:
DSC-PM-Campbell
DSC-PDS-Stone, Sikoryak
DSC-PIFS

07/05/02 FRI 14:45 FAX 541 594 2289

CRATER LAKE NATL PARK

007

IMPORTANT: 0001

7-3-2002

8070



United States Department of the Interior
NATIONAL PARK SERVICE

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604



IN REPLY REFER TO:

D30 (CRLA)

CERTIFIED MAIL: Return Receipt Requested

Mr. James Hamrick
State Historic Preservation Office
Oregon Parks and Recreation Department
1115 Commercial Street, N.E.
Salem, Oregon 97310-1001

COPY

Dear Mr. Hamrick:

Reference: Crater Lake National Park Rehabilitate Highway 62 West
Federal Highway Administration Project OR PRA-CRLA 11(4)
Package: CRLA 007269

Subject: Compliance with Section 106 of the National Historic Preservation Act

The National Park Service at Crater Lake National Park, is proposing to restore the road surface on 7.7 miles of Highway 62 from the West Boundary to Mazama intersection (milepost 65.5 to milepost 73.2) in Crater Lake National Park, Oregon. The project would involve digging out distressed areas, ditching to re-establish drainage, culvert replacement, recycling of existing surface, resurfacing, analyzing whether to flatten two switchback curves and 0.8 (8/10) mile of reconstruction on the same alignment.

Highway 62 is the only year around access route to the park. The west section of this road is in fair to poor condition with large sections of frost heaves, potholes, crumbling edges, and poor drainage throughout the segment length. Failures of the road surface occur each winter. Visitor and employee safety is compromised because of the narrow lanes and poor surface condition that cause dodging of potholes in some sections creating many near misses for snow plows and other traffic.

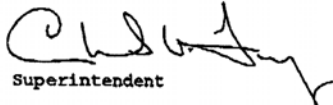
In fulfillment of requirements of the National Environmental Policy Act, the National Park Service has initiated preparation of an environmental assessment (EA) that will evaluate the potential impacts of project alternatives on natural and cultural resources, and other relevant topics. The process and documentation required for preparation of the EA will be used to comply with Section 106 of the National Historic Preservation Act. In accordance with section 800.8(3)(c) of the Advisory Council on Historic Preservation's regulations (36 CFR 800), I am providing your office advance notification of the National Park Service intention to use the EA to meet its Section 106 obligations.

As you may know, the National Park Service is also working on a general management plan/environmental impact statement for Crater Lake National Park. Please be aware that the general management plan and the EA for the road restoration project are two separate and distinct projects, each with their own separate Section 106 compliance actions. This letter refers specifically to the road project on Highway 62.

Letters describing the project have also been sent to the American Indian tribes traditionally associated with Crater Lake National Park.

We welcome your input on the project and our intended efforts to avoid adverse effects on historic properties. We will provide you a copy of the EA when it is completed documenting anticipated project effects on cultural resources. Thank you for your assistance. Should you have any questions, please contact me at chuck_hundy@nps.gov or by telephone at (541) 594-3001. You may also contact Park Historian Steve Mark at steve_mark@nps.gov or by telephone at (541) 594-3094.

Sincerely,



Superintendent

cc:
PWR-Regional Director

bbc:
DSC-PM-Campbell
DSC-PDS-Stone, Sikoryak
DSC-PIFS

SER-17-2002 TUE 08:34 AM NPS-DENVER

FAX NO. 3039692736

P. 02/04



**United States Department of the Interior
NATIONAL PARK SERVICE**

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604



IN REPLY REFER TO:

H4217(CRLA)

September 9, 2002

Leland Gilson, Archeologist
State Historic Preservation Office
1115 Commercial Street NE
Salem, OR 97301-1012

Dear Dr. Gilson:

Enclosed is an assessment of effect form numbered 020022 as well as an archeological survey report for the proposed rehabilitation of 7.7 miles of road surface on west Highway 62 in Crater Lake National Park. The proposed project will largely remain within the current road prism, though there are two areas along it where realignment is part of the preferred alternative, so a survey report was necessary. We expanded the scope of the report to cover four other areas near the highway, given the proximity of proposed project activities to previously recorded sites or isolated finds.

Should you desire additional information about this project, please contact Park Historian Steve Mark at (541) 594-3094 or via e-mail at [steve mark@nps.gov](mailto:steve_mark@nps.gov). A self-addressed, stamped reply envelope is also enclosed for your convenience in expediting concurrence on the recommended finding of "no effect" on historic properties in relation to the proposed project. You will also receive a copy of an environmental assessment for this project under separate cover. Thank you for your assistance.

Sincerely,

Charles V. Lundy
Superintendent

Enclosures

SEP-17-2002 TUE 08:34 AM NPS-DENVER

FAX NO. 3039692736

P. 03/04



United States Department of the Interior
NATIONAL PARK SERVICE

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604



IN REPLY REFER TO:

H4217(CRLA)

September 9, 2002

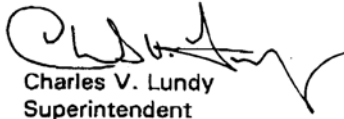
Gerald Skelton, Director
Culture & Heritage Department
The Klamath Tribes
P.O. Box 436
Chiloquin, OR 97624

Dear Mr. Skelton:

Enclosed is an assessment of effect form number 020022 as well as an archeological survey report for the proposed rehabilitation of 7.7 miles of road surface on west Highway 62 in Crater Lake National Park. The proposed project will remain within the current road prism, but a survey report was necessary because minor realignment is part of the preferred alternative in two areas surveyed for cultural resources. We expanded the scope of the report to cover four other areas near the highway, given the proximity of proposed project boundaries to previously recorded sites or isolated finds. Avoidance of isolated finds and/or sites is a stipulation for this type of project, but I am sending these materials along for your reference and retention with a request for comment should you or other tribal staff members have any questions or concerns.

Should you desire additional information about this project, please contact Park Historian Steve Mark at (541) 594-3094 or via e-mail at steve_mark@nps.gov. A self-addressed, stamped reply envelope is also enclosed for your convenience in expediting concurrence on the recommended finding of "no effect" on historic properties in relation to the proposed project. You will also receive a copy of an environmental assessment for this project under separate cover. Thank you for your assistance.

Sincerely,



Charles V. Lundy
Superintendent

Enclosures

SER-17-2002 TUE 08:34 AM NPS-DENVER

FAX NO. 3039692736

P. 04/04



United States Department of the Interior
NATIONAL PARK SERVICE

Crater Lake National Park
 Post Office Box 7
 Crater Lake, Oregon 97604



IN REPLY REFER TO:

H4217(CRLA)

September 9, 2002

Sue Shaffer, Chair
 Cow Creek Band of the Umpqua Indians
 2371 N.E. Stephens, Suite 100
 Roseburg, OR 97470

Dear Ms. Shaffer:

Enclosed is an assessment of effect form number 020022 as well as an archeological survey report for the proposed rehabilitation of 7.7 miles of road surface on west Highway 62 in Crater Lake National Park. The proposed project will remain within the current road prism, but a survey report was necessary because minor realignment is part of the preferred alternative in two areas surveyed for cultural resources. We expanded the scope of the report to cover four other areas near the highway, given the proximity of proposed project boundaries to previously recorded sites or isolated finds. Avoidance of isolated finds and/or sites is a stipulation for this type of project, but I am sending these materials along for your reference and retention with a request for comment should you or other tribal staff members have any questions or concerns.

Should you desire additional information about this project, please contact Park Historian Steve Mark at (541) 594-3094 or via e-mail at steve_mark@nps.gov. A self-addressed, stamped reply envelope is also enclosed for your convenience in expediting concurrence on the recommended finding of "no effect" on historic properties in relation to the proposed project. You will also receive a copy of an environmental assessment for this project under separate cover. Thank you for your assistance.

Sincerely,

Charles V. Lundy
 Superintendent

Enclosures



United States Department of the Interior

NATIONAL PARK SERVICE

Crater Lake National Park
Post Office Box 7
Crater Lake, Oregon 97604

IN REPLY REFER TO:

H4217(CRLA)

January 17, 2003

Nancy Niedernhofer, National Register Programs
State Historic Preservation Office
1115 Commercial Street NE
Salem, OR 97301-1012

Dear Ms. Niedernhofer:

The National Park Service proposes to undertake restoration of the road surface on 7.7 miles of Highway 62 from the west boundary to the Annie Spring junction (milepost 65.5 to milepost 73.2) at Crater Lake National Park. The project would largely involve resurfacing, but also includes the possible flattening of two switchback curves where minor realignment may be necessary.

Determination of National Register Eligibility

In partial fulfillment of Section 106 requirements, I am transmitting this letter along with recommendations for determination of eligibility (DOE) to document our understanding of the park's early road system and its potential eligibility for the National Register. Since roads are often evaluated as districts under Section 110, we utilized the "Oregon Inventory of Historic Properties: Section 106 Documentation Form, Potential Historic Districts" for this purpose. Both the current highway and earlier wagon road segments in that part of the park were evaluated. After applying the National Register criteria to properties that may be affected by this proposed undertaking, the NPS recommends that the current alignment of Highway 62 West is not eligible for listing. Conversely, the NPS finds that earlier wagon road segments may well meet National Register criteria.

The original compliance documentation for this project was sent to Leland Gilson of your office for review on September 9, 2002. In this correspondence the NPS recommended finding was "no effect on historic properties." A copy of this correspondence and the supporting documentation is enclosed for your reference. Subsequent review of updated project led to discovery that a feature of the earlier wagon road

alignment lay within the area of potential effects in the switchback area. This feature consists of a dry-laid rock revetment located below the uppermost switchback on Highway 62. Photographs and a map of this feature are enclosed in order to provide you with some idea of the revetment's appearance and relationship to the old road segment.

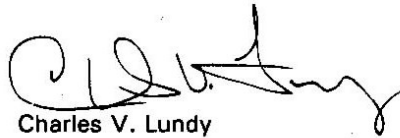
Thank you for reviewing the enclosed forms pertaining to potential eligibility for the National Register. If you concur with the National Park Service findings, please sign the concurrence block on the next page and return this letter to me at your earliest convenience.

Intention to use an environmental assessment for Section 106

The flattening of two switchback curves may have an effect on a historic property that could be eligible for the National Register. During the summer of 2002, the NPS initiated preparation of an environmental assessment (EA) to evaluate the potential impacts of project alternatives on natural and cultural resources. A letter dated July 3, 2002, notified your office of our intention to use the EA to meet Section 106 obligations on this project in accordance with Section 800.8 (c) of the regulations promulgated under 36 CFR 800. A copy of the EA, which includes documenting anticipated effects of the project on cultural resources, will be sent to your office for review and comment when a draft is completed.

I know that Christine Curran and Liz Carter have most often assisted us in project review, so a copy of this letter is being sent to them under separate cover. If you have any questions, or would like additional information about this project and the reconnaissance survey of wagon roads in the park, please contact Steve Mark via e-mail at steve_mark@nps.gov or by calling (541) 594-3094. Thanks again for your assistance.

Sincerely,



Charles V. Lundy
Superintendent

Enclosures

Inventory of historic properties documentation form "Wagon Roads in Crater Lake National Park (western half)"

Inventory of historic properties documentation form "Highway 62 West
(Crater Lake National Park)"
SHPO correspondence of 9/9/02 (with 106 form and archeological survey)
Photographs of rock revetment
Location map of switchback area with revetment

I concur _____

Date _____

cc:

Oregon SHPO – C. Curran, L. Carter w/c enc.

CRLA – M. McCabe, S. Mark, w/o enc.

CCSO – L. Huffman, C. Gilbert, w/c enc.

DSC – J. Sikoryak, w/c enc.

DSC – D. Campbell, w/o enc.

APPENDIX 3: ENVIRONMENTAL CLEARANCES FOR WIZARD III QUARRY

Botanical Evaluation

Project: Re-Opening Wizard III rockpit so the Park can use the rock.

Today, 7/19/2002, I surveyed the rockpit and surrounding area. There is no habitat for any of our FS sensitive plant species and indeed there are no rare plants present. **I recommend that project planning proceed without any mitigation for rare plants or other botanical resources.**

And by the way, the rockpit has two common noxious weeds, Klamath Weed and Bull Thistle. On our Forest we do not attempt any control measures for these two. However, the Park might be trying to keep Klamath weed out. They should probably be informed of this. I doubt if there is a single rockpit on Rogue River NF in the Cascades that doesn't have these two weeds.

Wayne Rolle, Forest Botanist
Rogue River National Forest

Biological Evaluation for Wizard III Rock Source

Date: July 5, 2002

On June 17, 2002 I visited the Wizard III rock source to determine if reopening the rock pit would have any impacts on Proposed, Threatened, Endangered or Sensitive wildlife species.

The site is a dry rock source on top of a ridge. The nearest Spotted Owl pair is located 1 mile away on a road system that would not be involved in the rock removal. There is no suitable spotted owl habitat at the quarry (habitat is lodgepole pine and small mountain hemlocks). There would be **"NO EFFECT"** on Northern Spotted Owls.

The habitat immediately adjacent to the rock source is not suitable for nesting Bald Eagles and there is no suitable foraging habitat within 5 miles of the site. There would be **"NO EFFECT"** on Bald Eagles.

The quarry is outside the range of the Canada Lynx and is not suitable habitat. Therefore the proposed action is **"NOT LIKELY TO JEOPARDIZE CONTINUED EXISTENCE OF THE CANADA LYNX."**

The nearest stream is above Lost Creek Reservoir, making it inaccessible for Threatened or Endangered anadromous fish species. Therefore there will be **"NO EFFECT"** on Coho Salmon and is **"NO IMPACT TO KLAMATH MOUNTAIN PROVINCE STEELHEAD OR SOUTHERN OREGON CHINOOK SALMON."**

The stream nearest the rock source is too small to support any native trout or salmon, nor does it contain suitable habitat for any other sensitive fish species. Therefore reopening the rock source will have **"NO IMPACT"** on any Region 6 Sensitive Fish Species.

Nowhere within the existing quarry or immediate surroundings was there vegetation or other indications of seeps, springs or other water sources that would provide the moist site conditions needed by amphibians. No water bodies lie within the proposed quarrying activities. Therefore there will be **"NO IMPACT"** to Black Salamanders, Del Norte Salamanders, Foothill Yellow-legged Frog, Oregon Spotted Frog, or Northwestern Pond Turtles. The site is above the elevational range of the Common Kingsnake.

The nearest Peregrine Falcon nest site is 7 miles to the west. The habitat at the quarry is low quality for falcon foraging, as lodgepole and Mountain hemlock support low bird densities. Therefore there will be **"NO IMPACT"** to American Peregrine Falcons.

The rock quarry and surrounding land is unsuitable habitat for Upland Sandpiper (grass meadows), Tri-colored Blackbird (marshlands), or Gray Flycatcher (Ponderosa pine/sagebrush), Pacific Shrew (large logs in moist forests), Pacific Pallid Bat (desert/dry), or Pacific Fringe-tailed Bat (caves and buildings) and the action will, therefore, have **"NO IMPACT"** to these species.

Pacific Fisher uses the habitat around the quarry, though the actual quarry site is not suitable for the fisher or its prey species. The removal of additional rock will not alter the forested habitat around the quarry but may produce noise disturbance during operations. Due to their high territoriality, only one or two animals would be disturbed on a small portion of their range and foraging habitat would not be altered. Therefore the action **"MAY ADVERSELY IMPACT INDIVIDUALS, BUT NOT LIKELY TO RESULT IN A LOSS OF VIABILITY ON THE PLANNING AREA, (ROGUE RIVER NF) NOR CAUSE A TREND TO FEDERAL LISTING OR A LOSS OF SPECIES VIABILITY RANGE WIDE."**

High road densities around the rock quarry and past timber management on this portion of the forest have rendered the site unsuitable for California Wolverine. There are no historic records of the species in the immediate area and it is generally considered outside the current range of the species. 5 years of recent efforts to locate wolverines on the Rogue River National Forest included baited camera sites, aerial surveys, and track surveys across this portion of the Prospect District and failed to locate any indications that wolverines exist here. An unverified winter den on Mt Thielsen, seen from an airplane, is the only potential sign of the species in Southwest Oregon. Therefore, this action will have **"NO IMPACT"** to Wolverines.

Norman Barrett

Wildlife Biologist

Wizard III Rock Source Project
Prospect Ranger District – Rogue River National Forest
Cultural Resource Report
CR Job 1204

The Wizard III Rock Quarry is being considered for expansion. This existing rock quarry on the Prospect Ranger District would be expanded both downwards and outward, and the resulting rock tailings would be crushed and used by the National Park Service – Crater Lake National Park, as a rock source for road surfacing, realignment and fill. The widening of the rock pit is planned to be approximately 4/10 of an acre in area. Also there would be deepening of the pre-existing pit. The proposed project is located on the Hamaker Butte 7.5'quad at T.29S, R.4E, Sec 27, SW 1/4, WM, Douglas County.

A thorough search of the Prospect District's cultural resource files found that the project area has been surveyed for cultural resources with the Prospect Hazard Tree Removal Program/Loop Hazard (CR Job #1024, SHPO #14148) in 1992, and the South National II T.S. (CR Job 163/ SHPO #N/A) in 1977. No sites were documented in the projects location by these two, or any other cultural resource surveys undertaken in the area.

This project lies in an area of "low cultural resource potential" land type. The writer spent a total of 1 hour surveying the area for cultural resources on August 14, 2002. A total of 3 acres surrounding the rock pit was 100% surveyed. The results were negative, no cultural material was found.

Considering that this area has been previously surveyed, and an additional cultural resource survey was performed there for the current project, as per the Programmatic Agreement between ACHP, SHPO, and the USFS Region 6, the proposal is exempt from Section 106 review and compliance procedures. No archaeological or historic preservation concerns are raised by this project.

(See attached project location map page 2).

Victor S. Rooney
Cultural Resource Technician
Prospect Ranger District
August 14, 2002

**Evaluation for Survey and Manage Species
Wizard 3 Rock Source**

Date: June 17, 2002

Today I visited the Wizard 3 rock source to determine if Mollusk Surveys were needed.

The site is a dry rock source on top of a ridge. Nowhere within the existing quarry or immediate surroundings was there vegetation or other indications of seeps, springs or other water sources that would provide the moist site conditions needed by terrestrial snails and slugs. None of the site contained the vegetation patterns I have seen on the ground or in photographs for *Helminthoglypta hertleini*.

Based on this site survey, no mollusk surveys are required for reopening this rock source. The habitat is also unsuitable for Red Tree Voles and great gray owls so no surveys are required for these species.

Norman Barrett

Wildlife Biologist

APPENDIX 4: THREATENED AND ENDANGERED SPECIES LISTS

**ENDANGERED AND THREATENED SPECIES AND SPECIES OF CONCERN CONSIDERED FOR
ANALYSIS FOR PROPOSED HIGHWAY 62 WEST REHABILITATION**

Species / Scientific Name	Status	Comments
^{1,2} Canada lynx / <i>Lynx Canadensis</i>	Federal threatened	Could use forest habitats adjacent to Highway 62 West, but have not been documented and is not further discussed.
^{2,3} Wolverine / <i>Gulo gulo</i>	Oregon threatened	Could use forest habitats adjacent to Highway 62 West, but have not been documented and is not further discussed.
³ Gray wolf / <i>Canis lupus</i>	Federal endangered	Could use forest habitats adjacent to Highway 62 West, but the gray wolf has not been documented in Crater Lake National Park and is not further discussed (Crater Lake National Park-FMP 1998).
³ Columbian white-tailed deer / <i>Odocoileus virginianus leucurus</i>	Federal endangered	Habitat for the Columbian white-tailed deer, riparian woodlands, is not present adjacent to Highway 62 West. The species has not been documented in Crater Lake National Park and is not further discussed (Crater Lake National Park-FMP 1998).
^{1,2,3} Bald eagle / <i>Haliaeetus leucocephalus</i>	Federal threatened	Could overfly forest habitats adjacent to Highway 62 West, but would avoid vehicle and human activity and is not further discussed.
^{1,2,3} Northern spotted owl / <i>Strix occidentalis caurina</i>	Federal threatened, potential critical habitat	The species is known to occupy activity centers within forest habitats as near as one km from Highway 62 West and is discussed herein (Crater Lake National Park 2002).
³ American peregrine falcon / <i>Falco peregrinus anatum</i>	Federal endangered	Nests on cliffs in the caldera, could forage over forest habitats adjacent to Highway 62 West, and is discussed herein.
² Scrub jay / <i>Aphelocoma californica</i>	Federal threatened	Habitat for the scrub jay, open shrubland or stunted woodland, is not present adjacent to Highway 62 West, and is not further discussed.
² Mountain plover / <i>Charadrius montanus</i>	Federal proposed threatened	Habitat for the mountain plover, wetlands and alpine tundra, is not present adjacent to Highway 62 West, and is not further discussed.
² Yellow-billed cuckoo / <i>Coccyzus americanus</i>	Federal candidate	Habitat for the yellow-billed cuckoo, willow-cottonwood riparian, is not present adjacent to Highway 62 West, and is not further discussed.
¹ Shortnose sucker / <i>Chasmistes brevirostris</i>	Federal endangered	Aquatic habitat for fisheries is not present adjacent to Highway 62 West, and is not further discussed.
¹ Lost River sucker / <i>Deltistes luxatus</i>	Federal endangered	Aquatic habitat for fisheries is not present adjacent to Highway 62 West and is not further discussed.
^{1,2} Bull trout / <i>Salvelinus confluentus</i>	Federal threatened	Aquatic habitat for fisheries is not present adjacent to Highway 62 West and is not further discussed.
^{1,2} Oregon spotted frog / <i>Rana pretiosa</i>	Federal candidate	Aquatic or wetland habitat for the Oregon spotted frog is not present adjacent to Highway 62 West, and is not further discussed.
² Crater Lake rockcress / <i>Arabis suffrutescens</i> var. <i>horizontalis</i>	Federal sensitive; Oregon candidate	Habitat for the Crater Lake rockcress, dry, rocky pumice, could be present on a talus slope near the switchbacks, but lies outside the proposed construction zone, and is not further discussed.
² Pumice grape fern / <i>Botrychium pumicola</i>	Federal sensitive; Oregon candidate	Habitat for the pumice grape fern, high-elevation pumice gravel, is not present adjacent to Highway 62 West and is not further discussed.
² Mount Mazama collomia / <i>Collomia mazama</i>	Federal sensitive	Habitat for the Mount Mazama collomia, alpine wet meadow, is not present adjacent to Highway 62 West. The nearest populations occur approximately 1 km north and south of the highway near the west entrance portion (Crater Lake National Park 2002), and are not further discussed.

¹ Listed, Proposed, and Candidate Species That May Occur on Crater Lake National Park (USFWS 2002).

² List of Rare Species of Crater Lake National Park (Murray pers. comm. 2002).

³ Oregon List of Threatened and Endangered Fish and Wildlife Species Known to Occur at Crater Lake National Park (OFWD 1997 in Crater Lake National Park 2002).

Attachment A

SPECIES LIST

The federal agency or designated representative shall use the following list(s), along with relevant biological studies, literature reviews, views of species experts, and site inspections, to determine if the project may affect (negatively or positively) listed or proposed species or proposed or designated critical habitat. If the subject project may affect a listed species and the proposed action is funded, permitted, or implemented by a Federal agency, the Federal agency must prepare a biological assessment if the project is a construction project which may require an environmental impact statement ^{1/}. If a biological assessment is not required, the Federal agency still has the responsibility to review its proposed activities and determine whether the listed species may be affected. If, based on an analysis it is determined that the project will have "no effect" on listed or proposed species, then no additional correspondence with the Service is necessary under the Act's requirements. If the action agency requires a letter indicating Service review of the "no effect" determination, then please provide a summary of the project, relevant maps and species information, a copy of the species list provided by the Klamath Falls Fish and Wildlife Office (KFFWO), and justification for the effects determination to the KFFWO.

The species list(s) also includes Federal candidate species of concern that may be present within each county, project area, or management area. While not protected under the Endangered Species Act (Act), the Service encourages Federal agencies and private land owners to utilize their authorities to conserve and protect candidate species, so activities which they authorize do not contribute to the need to list these species as either threatened or endangered under the Act. We also encourage Federal agencies and private land owners to provide the Service with information on status surveys, monitoring and other studies related to candidate species, and to address these species during consultation. During the assessment or review process, the Federal agency may engage in planning efforts, but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act. If a listed species may be affected, the Federal agency should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to listed species prior to a written request for formal consultation.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at

an early stage to adjust its actions to avoid jeopardizing a proposed species.

The action agency and applicant should be aware that section 9 of the Act prohibits the “take” of any listed species. The definition of “take” includes to harass, harm, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. “Harm” in the definition of ‘take’ in the Act means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Anyone who engages in a take would be subject to prosecution under section 9 of the Act. Such taking may occur only under the authority of the Service’s pursuant to section 7 (if a Federal agency is involved with this project) or through a section 10(a)(1)(B) permit, as mandated in the Act.

^{1/} “Construction Project” means any major Federal action which significantly affects the quality of the human environment designed primarily to result in the building or erection of man-made structures such as dams, buildings, roads, pipelines, channels and the like. This includes Federal actions such as permits, grants, licenses, or other forms of Federal authorizations or approval which may result in construction.

LISTED, PROPOSED AND CANDIDATE SPECIES
THAT MAY OCCUR ON CRATER LAKE NATIONAL PARK

LISTED SPECIES**Mammals**

Canada lynx	<i>Lynx canadensis</i>	T
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Birds

Bald eagle	<i>Haliaeetus leucocephalus</i>	T
Northern spotted owl	<i>Strix occidentalis caurina</i>	T, CH

Fish

Shortnose sucker	<i>Chasmistes brevirostris</i>	E, PCH
Lost River sucker	<i>Deltistes luxatus</i>	E, PCH
Bull trout (Klamath River and Columbia River population segments)	<i>Salvelinus confluentus</i>	T

Plants

None

PROPOSED SPECIES

None

CANDIDATE SPECIES**Birds**

Yellow-billed cuckoo (Western continental US)	<i>Coccyzus americanus</i>	C
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Amphibians and Reptiles

Oregon Spotted frog	<i>Rana pretiosa</i>	C
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(E) - Endangered (T) - Threatened (CH) - Critical Habitat
(C) - Candidate (PE) - Proposed as endangered (PT) - Proposed as threatened
(PCH) - Proposed critical habitat

Rare Species of Crater Lake NP

Species	Status
<i>Arabis suffrutescens</i> var. <i>horizontalis</i> (Crater Lake rockcress)	Federal Sensitive, State Candidate
<i>Botrychium pumicola</i> (pumice grape fern)	Federal Sensitive, State Threatened
<i>Collomia mazama</i> (Mount Mazama collomia)	Federal Sensitive
Spotted frog	Federal Candidate
Bald Eagle	Threatened (proposed delisting)
Scrub Jay	Threatened
Mountain Plover	Proposed Threatened
Northern Spotted Owl	Threatened
Wolverine	State Threatened
Bull Trout	Threatened
Lynx	Threatened

Crater Lake		National Park National Park Service U.S. Department of the Interior	
Threatened and Endangered Animals	Oregon List of Threatened and Endangered Fish and Wildlife Species Known to Occur at Crater Lake National Park		
	COMMON NAME	SCIENTIFIC NAME	CATEGORY
	BIRDS		
	<u>Bald Eagle</u>	Haliaeetus leucocephalus	Threatened *
	<u>American Peregrine Falcon</u>	Falco peregrinus anatum	Endangered *
	<u>Northern Spotted Owl</u>	Strix occidentalis caurina	Threatened *
	MAMMALS		
	<u>Gray Wolf</u>	Canis lupus	Endangered *
	<u>Wolverine</u>	Gulo gulo	Threatened
	<u>Columbian White-tailed Deer</u>	Odocoileus virginianus leucurus	Endangered *
* Denotes those species listed by the federal government			
Information provided by the Oregon Fish and Wildlife Department Updated 6-12-1997 rev. 5/2001			

**APPENDIX 5. CONCURRENCE ON EFFECTS DETERMINATION FOR EFFECTS
TO NORTHERN SPOTTED OWL**



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Klamath Falls Fish and Wildlife Office
 6610 Washburn Way
 Klamath Falls, Oregon 97603-9365
 (541) 885-8481 FAX: (541) 885-7837

SEP 18 2002

In Reply Refer To:
 1-10-02-I-245
 xref.
 1-10-02-TA-188

September 5, 2002

Memorandum

To: Superintendent, Crater Lake National Park, Crater Lake, Oregon

From: *Acting* *Court Mullis* Project Leader, Klamath Falls Fish and Wildlife Office, U.S. Fish and Wildlife Service, Klamath Falls, Oregon

Subject: Crater Lake National Park's Highway 62 Rehabilitation Project - Concurrence on Effects, Crater Lake, Oregon

The U.S. Fish and Wildlife Service (Service) has reviewed Crater Lake National Park's (CRLA) request for concurrence that the referenced action may affect but will not adversely affect the federally threatened Northern spotted owl (*Strix occidentalis caurina*). Your request, dated August 23, 2002, and received by us on August 30, 2002, is made pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536 et seq.) (Act), as amended.

Based on information gathered during several phone conversations your staff, knowledge of the proposed project area, and a Biological Assessment (BA) from August 2002, the Service concurs with your determination and outlines the reasons for that concurrence in this memorandum.

Description of the Proposed Action

CRLA proposes to rehabilitate approximately 7.8 miles of Highway 62 West within CRLA's boundary. The road segment is reaching the end of its 25 year design life. The project will rehabilitate the deteriorated road surface, address design deficiencies for safety, and improve snow removal.

Typical road repair equipment will be used including (but not limited to): bulldozers, backhoes, front end loaders, haul trucks, concrete trucks, concrete finishers, and asphalt spreaders, scrapers and rollers. The project is expected to commence in June of 2003 and last through early November 2003.

Status of northern spotted owls in the action area

Northern spotted owls inhabit the patchy suitable habitat in CRLA and ten years of surveys have

found approximately 18 nesting pairs or activity centers. The nearest known nest site to the project area is about 980 yards away. The pair that occupied this site in 2002 fledged a young but physical and circumstantial evidence strongly suggests that the juvenile and shortly thereafter the male were killed by avian predators. Monitoring of the site did not relocate the female.

The project area contains both poor and good quality nesting roosting and foraging (NRF) habitat for owls. None of the project area is designated as critical habitat.

Effects of the Proposed Action

The most probable mechanism for effects to northern spotted owls from this project is disturbance. When disturbance is great enough owls can abandon nests or fail in their feeding and rearing activities. The historical nest site is over 1/2 mile from the project site and is separated from the project area by some topographical ridges. If owls occupy the historical nest site in 2003 the noise disturbance from the project area is expected to be insignificant to the nest site. Given the probable mortality of the male of this pair the activity center may be occupied but it is not likely that nesting will take place in 2003. However CRLA will continue to survey and monitor owls in the area and if a nest or significant activity is recorded closer to or within the project area, CRLA will immediately contact the Service to discuss the potential for unforeseen impacts from the project.

Since the habitat in the project area is suitable for foraging, owls that go undetected may use areas near the construction site to forage or rest but no construction activities are proposed to take place after dusk so if disturbance occurs it is expected to be insignificant and the likelihood of any adverse effects occurring is discountable.

Determination

Based on the Service's review of the BA of August 2002, the type of project, its proximity to known habitat and nest sites, we concur with CRLA's determination that the proposed project may affect, but is not likely to adversely affect northern spotted owls. Consequently, further consultation, pursuant to section 7(a)(2) of the Act is not required.

No take of northern spotted owls is authorized under this informal consultation. If the proposed action changes in any manner that may affect a listed species or critical habitat, you must contact us immediately to determine if additional consultation is required. If you have any questions please contact Doug Laye of my staff at (541) 885-8481.

cc:
Craig Tuss, FWS, Roseburg, OR